

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Benjamin Wurtzel	Team: Team # 5	CCRB Case #: 201308689	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 09/04/2013 9:32 PM	Location of Incident: Unknown Street Location	Precinct:	18 Mo. SOL 3/4/2015	EO SOL 3/4/2015	
Date/Time CV Reported Wed, 09/11/2013 5:27 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 09/17/2013 1:09 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Diarmuid Osullivan	09099	952078	PBBX
2. POM Declan Ludington	14327	953018	PBBX

Officer(s)	Allegation	Investigator Recommendation
A.POM Declan Ludington	Off. Language: PO Declan Ludington made remarks to § 87(2)(b) based upon race.	
B.POM Diarmuid Osullivan	Off. Language: PO Diarmuid Osullivan made remarks to § 87(2)(b) based upon race.	

Case Summary

On September 11, 2013, § 87(2)(b) filed the following complaint via 311, with IAB, where it received log number 13-39294. On September 17, 2013, IAB referred the complaint to the CCRB.

On September 4, 2013, at approximately 9:32 p.m., at an unknown location in the Bronx, PO Diarmuid O'Sullivan and PO Declan Luddington approached § 87(2)(b) and said, "You niggers are not supposed to be out after dark," (**Allegation A and Allegation B**).

IAB identified the subject officers as PO Luddington and PO O'Sullivan. § 87(2)(b) provided PO Luddington's name and shield (14327) and PO O'Sullivan's name and shield (9099) when filing his initial complaint. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

On September 19, 2013 and October 2, 2013, ADR eligible, please call letters were mailed to § 87(2)(b). These letters were not returned by the United States Postal Service. On September 20, 2013, and September 25, 2013, the undersigned called and received a generic voicemail. Messages were left both times. On September 27, 2013, a call to § 87(2)(b) rang once before disconnecting. A message could not be left. On September 30, 2013, the undersigned called § 87(2)(b) at the same number and spoke with his wife, § 87(2)(b) who said that her husband was unavailable but that she would have him call the undersigned investigator back. Contact information was left with § 87(2)(b). On October 5, 2013, a call to the same number went straight to voicemail. A message was left. To date, § 87(2)(b) has not called the undersigned to provide a telephone statement. On October 21, 2013, a search of the NYC Department of Correction website did not indicate that § 87(2)(b) was incarcerated. § 87(2)(g)

§ 87(2)(b)

Team: 5

Investigator:	_____	_____	_____
	Signature	Print	Date
Supervisor:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date